

17. Foreigners who are, or who may hereafter become *bona fide* residents of this state, shall enjoy the same rights in respect to the possession, enjoyment, and inheritance of property, as native born citizens.

18. Neither slavery nor involuntary servitude, unless for the punishment of crimes, shall ever be tolerated in this state.

19. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable seizures and searches, shall not be violated; and no warrant shall issue but on probable cause, supported by oath or affirmation, particularly describing the place to be searched, and the persons and things to be seized.

20. Treason against the state shall consist only in levying war against it, adhering to its enemies, or giving them aid and comfort. No person shall be convicted of treason unless on the evidence of two witnesses to the same overt act, or confession in open court.

21. This enumeration of rights shall not be construed to impair or deny others retained by the people.

ARTICLE II.—*Right of Suffrage.*

§ 1. Every white male citizen of the United States, and every white male citizen of Mexico, who shall have elected to become a citizen of the United States, under the treaty of peace exchanged and ratified at Queretaro, on the 30th day of May, 1848, of the age of twenty-one years, who shall have been a resident of the state six months next preceding the election, and the county or district in which he claims his vote thirty days, shall be entitled to vote at all elections which are now or hereafter may be authorized by law: Provided, that nothing herein contained shall be construed to prevent the legislature, by a two-thirds concurrent vote, from admitting to the right of suffrage Indians or the descendants of Indians, in such special cases as such a proportion of the legislative body may deem just and proper.

2. Electors shall, in all cases except treason, felony, or breach of the peace, be privileged from arrest on the days of the election, during their attendance at such election, going to and returning therefrom.

3. No elector shall be obliged to perform militia duty on the day of election, except in time of war or public danger.

4. For the purpose of voting, no person shall be deemed to have gained or lost a residence by reason of his presence or absence while employed in the service of the United States; nor while engaged in the navigation of the waters of this state, or of the United States, or of the high seas; nor while a student of any seminary of learning; nor while kept at any almshouse or other asylum at public expense; nor while confined in any public prison.

5. No idiot or insane person, or person convicted of any infamous crime, shall be entitled to the privileges of an elector.

6. All elections by the people shall be by ballot.

ARTICLE III.—*Distribution of Powers.*

The powers of the government of the state of California shall be divided into three separate departments—the legislative, the executive, and judicial; and no person charged with the exercise of powers properly belonging to one of these departments, shall exercise any functions appertaining to either of the others, except in the cases hereinafter expressly directed or permitted.

ARTICLE IV.—*Legislative Department.*

§ 1. The legislative power of this state shall be vested in a senate and assembly, which shall be designated the legislature of the state of California, and the enacting clause of every law shall be as follows: "The people of the State of California, represented in Senate and Assembly, do enact as follows."

2. The sessions of the legislature shall be annual, and shall commence on the first Monday of January next ensuing the election of its members, unless the governor of the state shall in the interim convene the legislature by proclamation.

3. The members of the assembly shall be chosen annually, by the qualified voters of their respective districts, on the Tuesday next after the first Monday in November, unless otherwise ordered by the legislature, and their term of office shall be one year.

4. Senators and members of assembly shall be duly qualified electors in the respective counties and districts which they represent.

5. Senators shall be chosen for the term of two years, at the same time and places as members of assembly; and no person shall be a member of the senate or assembly who has not been a citizen and inhabitant of the state one year, and of the county or district for which he shall be chosen six months next before his election.

6. The number of senators shall not be less than one-third, nor more than one-